

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BITUMINOUS CASUALTY)	4:06CV3128
CORPORATION,)	
)	
Plaintiff,)	
vs.)	JUDGMENT
)	
AARON FERER AND SONS)	
COMPANY; THE UNITED STATES)	
ENVIRONMENTAL PROTECTION)	
AGENCY/JOHN B. ASKEW,)	
REGION 7 ADMINISTRATOR; and)	
UNION PACIFIC RAILROAD)	
COMPANY,)	
)	
Defendants.)	

Pursuant to the court's **Memorandum and Order** filed this date, and Federal Rule of Civil Procedure 54(b), all claims against the defendants United States Environmental Protection Agency and John B. Askew, Region 7 Administrator, are dismissed and they are no longer parties to this action, which shall proceed against the defendants Aaron Feror and Sons Company and Union Pacific Railroad Company.

November 2, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge